

REMARKS

Claims 1-15 stand rejected. Claims 1-15 remain pending in this patent application. Applicants respectfully request further examination and reconsideration in view of the remarks set forth below.

Applicants respectfully submit that the amendments to the specification and claims do not add new matter to the application.

35 U.S.C. §102 Rejections

Claims 1-15 of the present application are rejected under 35 U.S.C. §102(e) as being anticipated by Mogul et al., US Patent Number 6,243,761 (hereinafter Mogul). The Applicants have reviewed the Mogul reference and, for the following rationale, Applicants respectfully submit that the present invention is not anticipated nor rendered obvious by the Mogul reference.

CLAIM 1

Applicants respectfully contend that the Mogul reference fails to teach or suggest an adaptive load control system as recited in newly amended independent Claim 1. For instance, amended Claim 1 recites in part (emphasis added):

an adaptive load control system coupled to the content server to pass the access requests to the content server, wherein the adaptive load control system modifies an access request address to access the corresponding content file in the adapted content format when the content server is in an overload condition such that the content server is maintained at safe load conditions.

Applicants respectfully submit that amended Claim 1 explicitly recites that the adaptive load control system modifies an access request address to access the corresponding content file in the adapted content format when the content server is in an overload condition. However, Applicants respectfully assert that the Mogul reference does not teach or suggest an adaptive load control system that modifies an access request address to access the corresponding content file in the adapted content format when the content server is in an overload condition as recited in amended Claim 1.

For example, Applicants understand the Mogul reference to teach that “[t]he browser initially loads a low-resolution version of the image, then automatically loads a high resolution version to replace the low-resolution image.” See column 2, lines 6-8. Applicants respectfully assert that this teaching (along with its associated paragraph) of Mogul fails to teach or suggest the modification of an access request address to access a corresponding content file in an adapted content format as recited in amended Claim 1.

Furthermore, Applicants respectfully submit that the Mogul reference also teaches at column 9, lines 39-43:

In response to receiving (230) a request for the page from a client computer, e.g., the URL 113, the server can index (240) the database with the client’s address 205 to determine if effective bandwidth information about the network path from the server to the client is known.

Applicants understand this citation of Mogul to teach that by utilizing the client's address, a server can index a database "to determine if effective bandwidth information about the network path from the server to the client is known." As such, Applicants respectfully contend that this teaching (along with its associated paragraph) of Mogul fails to teach or suggest the modification of an access request address to access a corresponding content file in an adapted content format as recited in amended Claim 1.

Since the Mogul reference fails to teach or suggest at least one element specifically recited in amended Claim 1, Applicants respectfully contend that the Mogul reference cannot anticipate nor render obvious the present invention recited in amended Claim 1.

Based on the above rationale, Applicants respectfully submit that newly amended independent Claim 1 is not anticipated nor rendered obvious by the Mogul reference. Therefore, Applicants respectfully submit amended Claim 1 is allowable over the Mogul reference.

CLAIM 9

Applicants respectfully contend that the Mogul reference does not teach or suggest a method of maintaining a content server at safe load conditions as recited in

newly amended independent Claim 9. For instance, amended Claim 9 recites in part (emphasis added):

if the content server is determined to be in an overload condition, then modifying the access request address to access the corresponding content file in an adapted content format which is less resource-intensive to serve than the same file in a full content format such that the content server is maintained at the safe load conditions.

Applicants respectfully submit that amended Claim 9 specifically recites that if the content server is determined to be in an overload condition, then the access request address is modified to access the corresponding content file in an adapted content format. However, Applicants respectfully assert that the Mogul reference does not teach or suggest a method that modifies an access request address to access the corresponding content file in the adapted content format when the content server is in an overload condition as recited in amended Claim 9.

For example, Applicants respectfully contend that the two citations of the Mogul reference discussed above with reference to amended Claim 1 also fail to teach or suggest a method that modifies an access request address to access the corresponding content file in the adapted content format when the content server is in an overload condition as recited in amended Claim 9. Since the Mogul reference fails to teach or suggest at least one element specifically recited in amended Claim 9,

Applicants respectfully contend that the Mogul reference cannot anticipate nor render obvious the present invention recited in amended Claim 9.

Based on the above rationale, Applicants respectfully submit that newly amended independent Claim 9 is not anticipated nor rendered obvious by the Mogul reference. Therefore, Applicants respectfully submit amended Claim 9 is allowable over the Mogul reference.

CONCLUSION

In light of the above listed remarks, Applicants respectfully request reconsideration of rejected Claims 1-15.


Based on the remarks presented above, Applicants respectfully assert that Claims 1-15 overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these Claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Thomas M. Catale', is written over a horizontal line.

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